IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Civil Revision No.5616 of 2007
Date of Decision:01.11.2007

Sat Pal Dhiman and another

.....Petitioners

Vs.

Rani and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE RAJESH BINDAL

Present:- Mr. Deepak Sharma, Advocate for the petitioners.

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Rajesh Bindal, J.

The challenge in the present petition is to the order passed by the learned Additional Civil Judge (Senior Division), Panchkula whereby the evidence of the petitioners/ plaintiffs has been closed by order of the Court.

For the view I am taking, I do not deem it necessary to issue notice to the respondents as the same would unnecessarily further delay the disposal of the petition as well as the suit.

Learned counsel for the petitioners states that on the date fixed, the learned Court below closed the evidence of the petitioners/ plaintiffs as they were unable to produce the evidence for the reason that the date was wrongly noted as 27.7.2007 instead of 25.7.2007. It is further submitted that the dispute regarding the property is between family members. Still further the submission is that in case one last opportunity is granted, the petitioners/ plaintiffs will complete their entire evidence on the date fixed by the Court.

Having heard learned counsel for the petitioners and considering the fact that the dispute in the present case is between the family members and that prima facie counsel for the petitioners was able to show that the date was wrongly noted as 27.7.2007, I deem it appropriate to grant one last opportunity to the petitioners for completing their entire evidence on the date already fixed by the Court below, i.e., 18.1.2008.

Order dated 25.7.2007 passed by the learned Court below is modified to the extent mentioned above. However, the same shall be subject to payment of Rs. 2,500/- as costs to the respondents. It is made clear that in case the petitioners are not able to complete their entire evidence on the date already fixed, no further opportunity shall be granted for this purpose.

The revision petition is disposed of in the manner indicated above.

November 01, 2007 **(RAJESH BINDAL)**
renu **JUDGE**